

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

JONATHAN LEE RICHES,
Plaintiff,
vs.
HANNAH STORM, *et al.*,
Respondents.

NO. CV-08-212-JPH

ORDER ADOPTING REPORT AND
RECOMMENDATION IN PART, DENYING *IN*
FORMA PAUPERIS STATUS, AND
DISMISSING ACTION

BEFORE THE COURT is Magistrate Judge Hutton's Report and Recommendation to transfer this action to the District of South Carolina. Mr. Riches, a prisoner at the FCI Williamsburg in Salters, South Carolina, submitted a request for injunctive relief in this District without an accompanying complaint, the filing fee or an application to proceed *in forma pauperis*.

The Magistrate Judge recommended the action be transferred to the District of South Carolina pursuant to 28 U.S.C. § 1631. Upon further review, however, the court finds it would not be in the interests of justice to do so. According to the U.S. Party/Case Index at <http://pacer.uspci.uscourts.gov> (July 17, 2008), Mr. Riches has filed 1,950 cases nationwide while incarcerated. More than three have been

1 dismissed as frivolous or for failure to state a claim upon which
2 relief may be granted. See CV 08-31-BLG-RFC-CSO, *Riches v. Winnick*,
3 *et al.* (District of Montana); 2:07-cv-1331-KJD-RJJ, *Riches v. Jones*
4 (District of Nevada); 3:07-cv-5572-MJJ, *Riches v. Dahmer et al*,
5 (Northern District of California). Clearly, transferring this action
6 would not be an efficient use of judicial resources.

7 Accordingly, **IT IS ORDERED** the Report and Recommendation is
8 **ADOPTED in part**; *in forma pauperis* status is **DENIED** as Mr. Riches does
9 not present a plausible showing he is in imminent danger of serious
10 physical injury; and this action is **DISMISSED**.

11 **IT IS SO ORDERED.** The District Court Executive is directed to
12 enter this Order, forward a copy to Plaintiff and close the file.

13 **DATED** this 21st day of July, 2008.

14 ***s/Lonny R. Suko***

15 _____
16 LONNY R. SUKO
17 UNITED STATES DISTRICT JUDGE
18
19
20
21
22
23
24
25
26
27